

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

'08 MJ 8337

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Sergio Dominek BLAINE,

Defendant.

Magistrate Case No.:

COMPLAINT FOR VIOLATION OF

21 U.S.C. § 952 and 960

Importation of a Controlled Substance
(Felony)


The undersigned complainant being duly sworn states:

That on or about April 21, 2008, within the Southern District of California, defendant Sergio Dominek BLAINE did knowingly and intentionally import approximately 47.30 kilograms (104.06 pounds) of marijuana a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.


Special Agent
U.S. Immigration & Customs
Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 22ND,
DAY OF April 2008.


PETER C. LEWIS
UNITED STATES MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA

2 v.

3 Sergio Dominek BLAINE

4 STATEMENT OF FACTS

5 This statement of facts is based on the reports, documents, and notes furnished
6 to US Immigration and Customs Enforcement Special Agent Rafael Silva.

7 On April 21, 2008, at approximately 2104 hours, Sergio Dominek BLAINE
8 entered the United States at the Calexico, California, East Port of Entry. Customs and
9 Border Protection Officer (CBPO) Nicholson was manning primary. BLAINE gave a
10 negative Customs declaration to CBPO Nicholson. CBPO Nicholson referred BLAINE
11 and the vehicle to the secondary lot for further inspection.

12 In the Vehicle Secondary Lot, CBP Canine Enforcement Officer (CEO) Randolph
13 was conducting a lot sweep with his assigned dog when the dog alerted to the vehicle
14 BLAINE was driving. CBPO Cavazos took over the inspection of the vehicle. CBPO
15 Cavazos received a negative Customs declaration from BLAINE.

16 A subsequent inspection of the vehicle by CBPO Cavazos revealed 33 packages
17 located inside the rear seat, rear seat backrest, doors and rear quarter panels of the
18 vehicle. CBPO Cavazos probed a package and a sample of a green leafy substance
19 was obtained, which field tested positive for marijuana. The 33 packages had a
20 combined net weight of approximately 47.30 kilograms (104.06 pounds).

21 BLAINE was placed under arrest and advised of his Constitutional Rights
22 according to Miranda, which he acknowledged and waived, agreeing to answer
23 questions. BLAINE denied knowledge of the marijuana found in the vehicle. BLAINE
24 stated he has had possession of the vehicle since three days ago. BLAINE also stated
25 he has driven the vehicle into the United States four or five times in the three days.
26 BLAINE also stated he is the only person who has keys to the vehicle and no other
27 person has driven the vehicle since he acquired it.
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